

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TINA MARIE CARROLL,

Plaintiff,

v.

Case No. 20-10879

District Judge Stephanie Dawkins Davis

Magistrate Judge R. Steven Whalen

CITY OF MONROE POLICE

OFFICER MITCHELL LAMOUR, et al.,

Defendants.

ORDER

Plaintiff, a *pro se* litigant in this civil rights action brought under 42 U.S.C. §1983, has filed a motion for appointment of counsel [ECF No. 10].

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. Rather, the Court requests members of the bar to assist in appropriate cases. In *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993), the Sixth Circuit noted that “[a]ppointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances.” (Internal quotations and citations omitted).

It is the practice of this Court to defer any attempt to obtain counsel for *pro se* civil rights Plaintiffs until after motions to dismiss or motions for summary judgment have been denied. At this point, Plaintiff’s motion to appoint counsel is premature. If Plaintiff’s claims

ultimately survive dispositive motions, she may renew her motion for appointment of counsel at that time.¹

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for appointment of counsel [ECF No. 10] is **DENIED WITHOUT PREJUDICE**.

Date: September 2, 2020

s/R. Steven Whalen
R. Steven Whalen
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on September 2, 2020 electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager

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In her motion to appoint counsel, Plaintiff notes that she has conferred with an attorney working for a "pro bono program." ECF No. 10. Although the Court will not appoint counsel at this time, Plaintiff is not barred from securing counsel willing to represent her on a pro bono basis.